

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: P. D'Angio *et al.*



Serial No.: 10/608,077

Art Unit: 1614

Filed: June 30, 2003

Examiner: To be assigned

For: PHARMACEUTICAL
COMPOSITIONS AND DOSAGE
FORMS OF THALIDOMIDE

Attorney Docket No.: 9516-034-999
(New Docket No.: 501872-999033)

CORRECTION OF INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.48(a)(2)

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

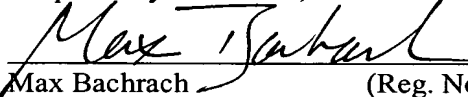
An executed Declaration was filed in connection with the above-captioned patent application on February 18, 2004, in response to a Notice to File Missing Parts of Nonprovisional Application dated September 25, 2003.

The inventive entity identified in the Declaration filed on February 18, 2004 was set forth in error, without any deceptive intent. To correct that error, Applicants submit herewith a substitute Declaration and a Statement of John McCarty, who is a co-inventor of the invention recited by the pending claims, pursuant to 37 C.F.R. § 1.48(a)(2).

A fee of \$130.00 is believed due for this submission. Please charge this and any other fees required for the entry of this paper and/or to avoid abandonment of this application to Jones Day Deposit Account No. 503013.

Date: March 24, 2004

Respectfully Submitted,


Max Bachrach (Reg. No. 45,479)

Jones Day
51 Louisiana Avenue, N.W.
Washington, DC 20001-2113
(202) 879-3939

For: Anthony M. Insogna (Reg. No. 35,203)
Jones Day
12750 High Bluff Drive, Suite 300
San Diego, CA 92130
(858) 314-1200

Enclosures



DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION*

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

PHARMACEUTICAL COMPOSITIONS AND DOSAGE FORMS OF THALIDOMIDE

and for which a patent application:

- ☐ is attached hereto and includes amendment(s) filed on (if applicable)
- ☒ was filed in the United States on **June 30, 2003**, was assigned U.S. Patent Application No. **10/608,077**, and is identified by Pennie & Edmonds LLP Docket No. **9516-034-999** and by Jones Day Docket No. **501872-999033**
- ☐ was filed as PCT international Application No. on and was amended under PCT Article 19 on (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION				
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED	
			YES <input type="checkbox"/>	NO <input type="checkbox"/>
			YES <input type="checkbox"/>	NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

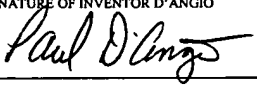
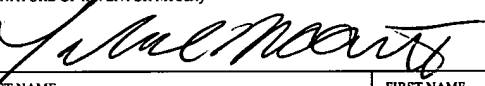
PROVISIONAL APPLICATION NUMBER	FILING DATE
60/426,016	November 14, 2002

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

NON-PROVISIONAL APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED

* for use only when the application is assigned to a company, partnership or other organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2 0 1	FULL NAME OF INVENTOR	LAST NAME D'ANGIO	FIRST NAME Paul	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Basking Ridge	STATE OR FOREIGN COUNTRY NJ	COUNTRY OF CITIZENSHIP United States	
	POST OFFICE ADDRESS	STREET 29 Compton Court	CITY Basking Ridge	STATE OR COUNTRY NJ	ZIP CODE 07920
	SIGNATURE OF INVENTOR D'ANGIO 			DATE 3/18/04	
2 0 2	FULL NAME OF INVENTOR	LAST NAME MCCARTY	FIRST NAME John	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY Miami Springs	STATE OR FOREIGN COUNTRY FL	COUNTRY OF CITIZENSHIP United States	
	POST OFFICE ADDRESS	STREET 424 Hunting Lodge Drive	CITY Miami Springs	STATE OR COUNTRY FL	ZIP CODE 33166
	SIGNATURE OF INVENTOR McCarty 			DATE 3/18/04	
2 0 3	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE
	SIGNATURE OF INVENTOR 203			DATE	
2 0 4	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE
	SIGNATURE OF INVENTOR 204			DATE	
2 0 5	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY	ZIP CODE
	SIGNATURE OF INVENTOR 205			DATE	

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STATEMENT PURSUANT TO 37 C.F.R. § 1.48(a)(2)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, JOHN MCCARTY, hereby state that I agree to the change of inventorship requested in the attached Petition, whereby I will be added as a co-inventor of the above-identified patent application.

The requested correction is to correct an error in naming inventors that occurred without deceptive intent on my part.

Respectfully submitted,

Date:

MARCH 13, 2004

By:

JOHN MCCARTY